



PATENT
Docket No.: P-9596.00US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Scott J. Davis et al. Group Art Unit: 3762
Application No.: 09/843,638 Examiner: Kristen L. Drosch
Filing Date: April 26, 2001 Due Date:
For: Implantable Therapy Delivery Element Adjustable Anchor

CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on November 12, 2003.

Jodi Nickel
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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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RESPONSE TO OFFICE ACTION

Introductory Comments

Responsive to the Election of Species Requirement mailed August 12, 2003, Applicants elect species VI: anchor and method of using shown in Figs. 7a-7d, 8a-8d without traverse.

Referring to the claims of the accompanying Preliminary Amendment, claims 1-19, 24, 25, 27, 28, 31-34, 36-42, 44, and 45 read on the elected species. Applicants understand that upon allowance of a generic claim, additional species will be considered.

Remarks/Arguments begin on page 2 of this paper.

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Docket No.: P-9596.00US

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TRANSMITTAL LETTER

Attn: Examiner Kristen L. Drolesch
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We are transmitting herewith the attached:

- Response to Office Action/Election-Restriction
 Preliminary Amendment
 Return Receipt Postcard

FEE CALCULATION	No. of Claims Filed	Highest No. of Claims Previously Paid for	No. of Extra Claims	Rate	Fee
Total Claims		- =		x \$18	\$
Independent Claims		- =		x \$86	\$
Multiple Dependent Claims				+ \$290	\$
TOTAL					\$

- Please charge Deposit Account No. 13-2546 \$ for additional claims fees and \$ for petition fees, for a **TOTAL OF \$**
- Please charge any additional fees or credit any overpayments to Deposit Account No. 13-2546, which may have been overlooked on this Transmittal Letter with regard to this filing. A duplicate of this Transmittal Letter is enclosed.

Respectfully submitted,



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Date: November 12, 2003